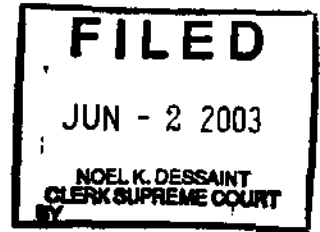


SUPREME COURT OF ARIZONA



IN THE MATTER OF A SUSPENDED MEMBER
OF THE STATE BAR OF ARIZONA,

) Supreme Court
) No. SB-03-0032-D
)
) Disciplinary Commission
) No. 01-1300
)
)

J.J. OAKLEY,
Attorney No. 010687

RESPONDENT.

JUDGMENT AND ORDER

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **J.J. OAKLEY**, a suspended member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of one (1) year, effective the date of this Order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the commission report.

IT IS FURTHER ORDERED that **J.J. OAKLEY** shall be placed on probation, upon reinstatement, for a period of two (2) years, under the following terms and conditions:

1. Prior to accepting representation of any client, Respondent shall submit to a law office audit by the Law Office Management Assistance Program (LOMAP) director or her designee, and shall comply with all the recommendations of the LOMAP director or her designee, and;
2. Respondent shall attend and complete the State Bar's Professionalism Course prior to or within three (3) months of reinstatement. If Respondent has already completed the course, he shall complete it again.
3. In the event that Respondent fails to comply with any of the foregoing conditions, and information thereof is received by the State Bar, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 51(j). The Hearing Officer shall conduct a hearing at the earliest practicable date, but in no event later than thirty (30) days after receipt of notice, to determine whether a condition of probation has been breached and, if so, to recommend an appropriate sanction therefore.
4. In the event there is an allegation that any of these terms have been breached, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that J.J. OAKLEY shall pay restitution in the amount of \$30,767.99 to Thomas J. Tekavec.

IT IS FURTHER ORDERED that Respondent shall pay in full any and all claims paid by the Client Protection Fund, not to exceed the maximum permissible payment of \$100,000.00.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 63, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 63(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 63(d).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that pursuant to Rule 52(a)8, the State Bar of Arizona is granted judgment against J.J. OAKLEY for costs and expenses of these proceedings in the amount of \$1,641.00, together with interest at the legal rate from the date of this judgment.

DATED this 2nd day of June, 2003.


NOËL K. DESSAINT, Clerk

TO:

J.J. Oakley, Respondent (Certified Mail, Return Receipt)

James D. Lee, Senior Bar Counsel

C. Eileen Bond, Hearing Officer 7N

Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)

Dee Steadman, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)

William Suter, Clerk, United States Supreme Court (Cert. Copy)

Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)

Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)

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/kdl

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST

Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona

By  Deputy